



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/736,663

12/16/2003

Denise M. Butler

D/A3563

5355

25453

7590

09/02/2008

PATENT DOCUMENTATION CENTER

XEROX CORPORATION

100 CLINTON AVE., SOUTH, XEROX SQUARE, 20TH FLOOR

ROCHESTER, NY 14644

EXAMINER

VO, QUANG N

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

09/02/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/736,663

**Applicant(s)**

BUTLER ET AL.

**Examiner**

QUANG N. VO

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-6,8 and 11-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8 and 11-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### **DETAILED ACTION**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/26/2008 has been entered.

***Response to Arguments***

With regard to claims 1 and 8, applicant argues that Barker does not appear to address the issue of routing document.

In response: Barker discloses to generate corresponding digital image data to various users (e.g., in addition, the form code 54 may cause the control circuit 34 to refer to a specific data set, thereby directing the interpretation of instructions contained on the form to various users, systems, and so forth, column 5, lines 26-29).

With regard to claims 17 and 18, applicant argues that Barker does not appear to address metadata to be associated with a document.

In response: Barker discloses wherein the selected at least one of the one or more user-selectable parameters includes metadata to be associated with the digital image data (e.g., in addition, the form code (metadata) may cause the control circuit 34 to refer to a specific data set (associated with document), form code block 54 (metadata), figure 3, column 5, lines 26-27).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-6, 8, 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barker et al. (Barker) (US 6,646,765) in view of Yakata (JP 10275206).

With regard to claim 1, Barker discloses a method for making written documents (column 7, lines 35-55 teaches composing/making a cover sheet with a document), comprising: generating a cover sheet (e.g., figure 3, column, lines 44-45), including machine readable information and scanning a document using the cover sheet (column 7, lines 35-56), the cover sheet has user selectable parameter (e.g., selectable parameters 88, 82, figure 3) to be read by the user and select by the user at least one of the one or more user selectable parameter (e.g., selectable parameters 88, 82, figure 3); and scanning a document using the cover sheet (e.g., a form code 54, input sheet figure 3, is provided in an upper region of the sheet and may be used to indicate to the system that the sheet represents instructions to be applied during a scanning or processing operation, column 5, lines 22-26) to generate corresponding digital image data (e.g., in addition, the form code 54 may cause the control circuit 34 to refer to a specific data set, thereby directing the interpretation of instructions contained on the form to various users, systems, and so forth, column 5, lines 26-29), wherein the selected at least one of the one or more user-selectable parameters includes an electronic address for the digital image data (e.g., digital data sent to user with email (electronic address) in block 64, figure 3, column 5, lines 44-48).

Barker does not teach a cover sheet including tactilely readable information.

Yakata discloses a label (similar to cover sheet) including tactilely readable markings (braille) available to the visually impaired and encoding information which can be read by an optical reader (paragraphs 0005 and abstract).

Since a blind person would be a user and the only way that a blind person can use Barker's cover sheet and select the parameter in the cover sheet is to provide the user with tactilely reading markings includes information regarding one or more user selectable parameters such that the user can tactilely reading the cover sheet and selecting the at least one of the one or more user-selectable parameters.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Barker to include including tactilely readable markings (braille) available to the visually impaired as taught by Yakata includes information regarding one or more user selectable parameters such that the user can tactilely reading the cover sheet and selecting the at least one of the one or more user-selectable parameters and scanning a document using the cover sheet. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Barker by the teaching of Yakata includes information regarding one or more user selectable parameters such that the user can tactilely reading the cover sheet and selecting the at least one of the one or more user-selectable parameters and scanning a document using the cover sheet because it would have allow visually impaired person having privileged to fax a document.

With regard to claim 3, Barker discloses wherein selecting the at least one user-selectable parameter includes checking a box on the sheet (column 5, lines 14-43, figure 3).

With regard to claim 4, Barker discloses wherein the electronic address is an email address (e.g., block 64, figure 3).

With regard to claim 5, Barker discloses wherein the electronic address is that of a database in which the digital image data will be stored (column 5, lines 53-59).

With regard to claim 6, Barker discloses wherein the electronic address is that of a networked printer (e.g., the form code (the electronic address) may cause the control circuit 34 to refer to a specific data set, thereby directing the interpretation of instructions contained on the form to various users, systems, and so forth, allowing a shared peripheral device (networked printers) or scanning device to be used for a number of different users, column 5, lines 26-30).

With regard to claim 8, the subject matter is similar to claim 1. Therefore claim 8 is rejected as set forth above for claim 1.

With regard to claim 11, the subject matter is similar to claim 4. Therefore claim 11 is rejected as set forth above for claim 4.

With regard to claim 12, Yakata discloses wherein the tactilely readable markings include Braille (paragraph 0005).

With regard to claim 13, Barker discloses wherein the machine readable markings include a bar code (figure 3, block 54).

With regard to claim 14, Barker discloses wherein the machine readable markings includes glyphs (column 5, lines 14-43, figure 3).

With regard to claim 15, the subject matter is similar to claim 5. Therefore claim 15 is rejected as set forth above for claim 5.

With regard to claim 16, the subject matter is similar to claim 6. Therefore claim 16 is rejected as set forth above for claim 6.

With regard to claim 17, Barker discloses a method for making written documents (column 7, lines 35-55 teaches composing/making a cover sheet with a document), comprising: generating a cover sheet (e.g., figure 3, column, lines 44-45), including machine readable information and scanning a document using the cover sheet (column 7, lines 35-56), the cover sheet has user selectable parameter (e.g., selectable parameters 88, 82, figure 3) to be read by the user and select by the user at least one of the one or more user selectable parameter (e.g., selectable parameters 88, 82, figure 3); and scanning a document using the cover sheet (e.g., a form code 54, input sheet figure 3, is provided in an upper region of the sheet and may be used to indicate to the system that the sheet represents instructions to be applied during a scanning or processing operation, column 5, lines 22-26) to generate corresponding digital image data (e.g., in addition, the form code 54 may cause the control circuit 34 to refer to a specific data set, thereby directing the interpretation of instructions contained on the form to various users, systems, and so forth, column 5, lines 26-29), wherein the selected at least one of the one or more user-selectable parameters includes metadata to be associated with the digital image data (e.g., in addition, the form code may cause the control circuit 34 to refer to a specific data set (associated with document), form code block 54 (metadata), figure 3, column 5, lines 26-27).

Barker does not teach a cover sheet including tactilely readable information.



Yakata discloses a label (similar to cover sheet) including tactilely readable markings (braille) available to the visually impaired and encoding information which can be read by an optical reader (paragraphs 0005 and abstract).

Since a blind person would be a user and the only way that a blind person can use Barker's cover sheet and select the parameter in the cover sheet is to provide the user with tactilely reading markings includes information regarding one or more user selectable parameters such that the user can tactilely reading the cover sheet and selecting the at least one of the one or more user-selectable parameters.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Barker to include including tactilely readable markings (braille) available to the visually impaired as taught by Yakata includes information regarding one or more user selectable parameters such that the user can tactilely reading the cover sheet and selecting the at least one of the one or more user-selectable parameters and scanning a document using the cover sheet. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Barker by the teaching of Yakata includes information regarding one or more user selectable parameters such that the user can tactilely reading the cover sheet and selecting the at least one of the one or more user-selectable parameters and scanning a document using the cover sheet because it would have allow visually impaired person having privileged to fax a document.

With regard to claim 18, the subject matter is similar to claim 17. Therefore claim 18 is rejected as set forth above for claim 17.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to QUANG N. VO whose telephone number is (571)270-1121. The examiner can normally be reached on 7:30AM-5:00PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Y. Poon can be reached on 5712727440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Quang N. Vo/  
Examiner, Art Unit 2625

/King Y. Poon/  
Supervisory Patent Examiner, Art  
Unit 2625